United Nations A/59/330

General Assembly

Distr.: General
4 October 2004
English
Original: French

Fifty-ninth session
Item 105 (a) of the provisional agenda*
Elimination of racism and racial discrimination: elimination of racism and racial discrimination

Combating racism, racial discrimination, xenophobia and related intolerance and comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action

Note by the Secretary-General**

The Secretary-General has the honour to transmit to members of the General Assembly the study on the question of political platforms which promote or incite racial discrimination submitted by Doudou Diène, Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance pursuant to Assembly resolution 58/159.

* A/59/150.
** This document is submitted late so as to include the most up-to-date information possible.

04-49967 (E) 220904 061004

Summary

The present study is submitted pursuant to paragraph 14 of General Assembly resolution 58/159 in which the Assembly invited the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance to submit to the General Assembly at its fifty-ninth session the study on the issue of political platforms that promote or incite racial discrimination, as requested by the Commission in its resolution 2003/41, and updated and expanded as appropriate.

The study reviews political parties or other organizations that promote racism, racial discrimination, xenophobia and related intolerance worldwide. The Special Rapporteur highlights three main factors in the study. First, he highlights the key role played by political organizations and parties in every region of the world in the rising tide of racism, discrimination and xenophobia. In that context, he goes on to underscore the intellectual posturing, namely the post-11 September 2001 proliferation of writings and publications that legitimize the culture of encouraging discrimination and racism and develop concepts such as the clash of civilizations, which have the potential to heighten ethnic and racial tensions by way of culture.

Lastly, the Special Rapporteur notes the major role played by extreme right parties and organizations, which are dangerous not only because of the xenophobic ideas they expound, but also because of their ability to exert influence at election time on mainstream democratic parties by promoting three issues: preference for nationals, opposition to family reunions and rejection of cultural diversity. The Special Rapporteur submits his recommendations on the above-mentioned issues to the General Assembly.

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I. Introduction

1. The present study is submitted pursuant to paragraph 14 of General Assembly resolution 58/159 in which the Assembly invited the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance to submit to the General Assembly at its fifty-ninth session the study on the issue of political platforms that promote or incite racial discrimination, as requested by the Commission in its resolution 2003/41, and updated and expanded as appropriate.

2. The study should be read and considered in the context of the implementation of the Durban Declaration and Programme of Action (A/CONF.189/12 and Corr.1) in which the international community expressed its concern that, "beyond the fact that racism is gaining ground, contemporary forms and manifestations of racism and xenophobia are striving to regain political, moral and even legal recognition in many ways, including through the platforms of some political parties and organizations and the dissemination through modern communication technologies of ideas based on the notion of racial superiority" (Declaration, para. 27). The international community further underlined "the key role that political leaders and political parties can and ought to play in combating racism, racial discrimination, xenophobia and related intolerance and encourage political parties to take concrete steps to promote solidarity, tolerance and respect" (ibid., para. 83).

3. The report is structured around two main sections preceded by an introduction. The introduction presents the study in the context of the follow-up to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance. Section I seeks to explore the manifestation of racism, ethnocentrism and xenophobia in Europe, Asia, Africa, South America, the Middle East and North America. Section II offers recommendations drawn from that analysis.

II. Regional contexts and characteristics

A. Europe

4. Racial theories began to emerge in Europe from Greco-Roman antiquity to the Middle Ages. Both religious and secular theories of race were developed during that period by scholars to justify systems of oppression and exploitation. The political and economic expansion of Europe from the seventeenth century went hand in hand with the propounding of racial theories regarding non-Europeans whereby, under the pretext of "spreading civilization", the imperial domination at the time was legitimized and justified, particularly in explaining the extreme forms it took such as the Transatlantic Slave Trade and the colonial system. Religious leaders in the eighteenth and nineteenth centuries revised the Biblical story of the curse of the Canaanites to reinsert "Ham as the foundation myth for collective degradation, conventionally trotted out as God's reason for condemning generations of dark skinned peoples from Africa to slavery".[1] In the secular world, well-known pioneers in science such as Buffon in France and White in England developed scientific arguments in favour of the idea of the hierarchy of races. Racial doctrine was therefore widely used during that period by political leaders and intellectuals and

scientists to justify societal organizations based on division, domination and exclusion.

1. Contemporary issues of racism, xenophobia and extremist political platforms

5. The rebirth of racist and xenophobic movements in Western Europe today needs to be analysed against the background of the socio-economic changes taking place, including the politicization of immigration. Extremist political movements foster and use racism and xenophobia to achieve their political goals. Their impact should not be underestimated. Numerous studies indicate that hatred, racial, ethnic and cultural polarization reflected in political platforms have played leading roles in the violence and regional and worldwide wars that occurred in Europe in the last century. The apology of violence and genocide leads to the outbreak of those very acts, as sadly demonstrated by the conflicts in the former Yugoslavia and Rwanda.

6. While pre-industrial interpretations of religion often served as the foundations for wars, such as the crusades, post-industrial ideologies of racism, xenophobia and superiority underlined the acts of war and genocide carried out within, and across, the boundaries of the nation States.[2] Such feelings of hatred are used as raw materials by intellectuals and ideologues to manufacture conflicts.[3] The wars in the Balkans, for example, were explained as the reawakening of ancient hatreds following the post-Communist thaw. This interpretation fails to grasp the major role played by the ideologues who manipulated the political discourse of ethnic nationalism to build their power bases.

7. Similarly, in Western Europe the resurgence of extremist right-wing politics has been explained as a phenomenon caused by economic crisis or the rapid influx of non-occidental immigrants into hitherto "homogenous" societies. However, to single out economic or demographic change as the only factor is to downplay the significant role played by intellectual and ideological constructs, including political discourse, in manipulating events or casting certain developments in a particular light. In addition, far-reaching changes in such societies in the areas of population or employment have created an environment propitious to political manipulation. In the struggle between the forces of equality and justice and those of division and hatred, it is probably the size and the ability to organize and exert influence, including through the mass media, as well as the determination of the advocates of either point of view that carry the day. In that regard, the drift towards racism and xenophobia is probably made possible not so much by structural changes as by the fact that "the best lack all conviction, while the worst are full of passionate intensity".[4] Racism and xenophobia, hatred of the "other" have always been fertile breeding grounds, including in most identity constructs, for galvanizing passions for political purposes.

8. There appears to be agreement that racism, racial discrimination, xenophobia, anti-Semitism and Islamophobia are on the upswing in Europe. New targets of discrimination — immigrants, refugees and non-nationals — have now been added to the traditional victims of these scourges — Jews, Arabs, Asians and Africans. That trend has even increased since the tragic events of 11 September 2001. The new ideological atmosphere, overlaid by the war on terrorism, tends to consider such people and groups as "terrorist-breeding" groups, a new term that the Special Rapporteur is coining to describe the slippery slope along which the media and academia are sliding when they describe population groups and even cultures and

religions as posing a "high-risk". In that regard, the upsurge in racism and xenophobia constitutes not only a threat to the most targeted populations, but ultimately a mortal danger for democracy and for articulating a dynamic of a clash of civilizations.

2. Ideologies of hate and xenophobia and their peddlers

9. As reiterated above, the acts of violence, discrimination and exclusion reported in various States do not just happen; they are shaped, mobilized and directed by individuals, extreme political groups, as well as movements that utilize different instruments of organization. The wide reach of propaganda and the proliferation of organizations that advocate racism and xenophobia in Europe can be gauged by brief national descriptions of representative samples as follows.

10. The leading racist and xenophobic party in France is the *Front national*, led by Jean-Marie Le Pen, who garnered 17 per cent of the national vote in the 2002 presidential elections, achieving the second best score and defeating the then Prime Minister, Lionel Jospin. In the second round of the elections, Le Pen sent shock waves throughout the country. One of the main goals of the *Front national* platform, based on hate and exclusion, is to give preference to nationals and Europeans with regard to jobs and housing, and immediately expel all illegal immigrants. Jean-Marie Le Pen also undertook to stop the immigration of spouses or other relations of immigrants already in France and suppress the automatic acquisition of French nationality. His political platform encompasses three central concepts of xenophobic discourse: rejection of cultural diversity, preference for nationals and prevention of family reunions.

11. In 1999, Bruno Maigret, Jean-Marie Le Pen's second-in-command, left the *Front national* to form a new party, the *Mouvement national républicain*, with an even more virulent racist and xenophobic platform. Other extraparliamentary groups (*Unité radicale*, *Union de défense des étudiants nationalistes*, *Oeuvre française*) also espouse anti-Semitic and racist platforms. Taken as a whole, these groups constitute not only a threat to the democratic values on which French society is founded, but also to the entire international community. In its latest report on racism and xenophobia in France, the National Consultative Commission on Human Rights found that about a third of all anti-Semitic crimes were perpetrated by members of the extreme right.[5] The electoral clout of the French extreme right is disquieting to the extent that it indicates the existence of a racist and xenophobic culture in French society.

12. In Germany, the three main xenophobic and anti-Semitic parties are the German People's Union, led by the millionaire publisher Dr. Gerhard Frey, the German National Democratic Party and the Republicans. The latest annual report of the Federal Office for the Protection of the Constitution[6] reports that there were 169 extreme right organizations and groups at the end of 2003 (compared to 146 in 2002) with a membership of about 41,500 people (compared with 45,000 in 2002, the first decline in nine years) the majority of whom are extreme right skinheads. The number of neo-Nazis increased considerably from 2,600 in 2002 to 3,000 in 2003, a jump of 15 per cent. Neo-Nazi groups also increased from 72 in 2002 to 95 in 2003.

13. According to the statistics of the Federal Criminal Office, 10,792 extreme right-wing crimes were reported in 2003, compared with 10,902 in 2002, a drop of 1 per cent. However, the situation remains alarming. In view of the serious situation in Germany, the Minister of the Interior launched a broad-based action and awareness-raising programme in 2000 targeting especially the youth; it includes, inter alia, an Alliance for Democracy and Tolerance — Against Extremism and Violence, a hotline against right-wing extremism, information magazines and brochures as well as exhibitions and educational computer games.[7] In 2001, the Ministry for Family Affairs, Senior Citizens and Youth launched a similar programme entitled "youth for tolerance and democracy and against the extreme right, xenophobia and anti-Semitism".[8] These educational initiatives are all the more critical since there is evidence that the success of skinhead and neo-Nazi groups is in no small measure due to the development of a musical culture, comic strips and video games that disseminate racist theories among the youth and extol violence against minorities. Such initiatives have also been adopted by many Federal States.[9] Furthermore, ECRI recommended that they should be strengthened.[10]

14. As in other countries, the German extreme right parties are increasingly using the Internet to spread their racist, xenophobic and anti-Semitic messages. The German authorities have taken steps to enhance the accountability of Internet web-site providers. One of those measures was adopted in the State of North Rhine Westphalia, where Internet web-site providers are now liable for illegal web contents. The measure seems to have borne fruit since, in the majority of cases, providers voluntarily withdrew racist, xenophobic and anti-Semitic contents and in others cases complaints were brought before the courts. That experience at the regional level could serve as a stepping stone for national-level initiatives.

15. The United Kingdom of Great Britain and Northern Ireland also faces challenges of racism, ethnocentrism and xenophobia. The leading extremist political group is the British National Party (BNP), which obtained the best result ever by an extreme right party since the 1970s in the 2003 local elections. That was probably due to the change of strategy that the new leader of the party, Nick Griffin, had wanted to make since 1999. He wanted to give the party some respectability, toning down its language while maintaining the same racist and xenophobic policy.

16. The tactics and strategies of BNP run the spectrum of holding festivals, involvement in elections, dissemination of publications, holding rallies and of the Internet, as well as infiltration of youth and community associations. Their campaign of violence and intimidation is carried out against minorities and new immigrants, especially Muslims and asylum-seekers. "The Situation of Muslims in the UK" report of the European Union Accession Monitoring Programme states that BNP honed its "racism into a specifically anti-Muslim message" and exploited the tragic events of 11 September 2001 to increase its levels of demonstrated hatred through more violent attacks.

17. A new racist party, the November 9th Society, was established in 2004. It openly proclaims its status as a British Nazi party with a platform based on the theories of Hitler and the superiority of the Aryan race. Its aim is to drive out all non-Aryan immigrants and strip them of their British nationality and to make being homosexual or a communist a crime.[11] Extraparliamentary groups like Combat 18, which developed links with the Loyalist Ulster Defence Association; Blood and Honour, which maintained close ties with skinhead bands; the International Third

Position, which promotes traditional religious right-wing causes; and the National Revolutionary Faction, which adheres to the concept of a leaderless, cell-based white supremacist structure, along with several small extreme nationalist and white supremacist groups, carry out a wide-ranging agenda of racism and xenophobia.

18. As in the other States discussed above, these extremist movements are all the more dangerous since they not only mobilize large segments of society, but also establish networks of propaganda and violence across national frontiers in continental Europe, Eastern and Central Europe, Australia, the Americas and the Middle East.[12] The example of the United Kingdom illustrates two serious developments in xenophobic and racist discourse: first, the amalgamation of religion, culture and race, to which the rise of a new object of ostracism, "the Muslim-Arab-Asian", attests; and, second, the public and open expression of discriminatory discourse by prominent intellectuals and media personalities, as demonstrated by Robert Kilroy-Silk, a famous television presenter whose programme was suspended by the BBC in January because of an openly Islamophobic article he wrote in the British press. The resonance of this discriminatory discourse in the United Kingdom has just been confirmed by the excellent showing achieved by the party Kilroy-Silk joined, the United Kingdom Independence Party, in the June 2004 European elections.

19. In Austria, in the 1999 general elections the extreme-right Freedom Party (FPÖ) became the country's second party with 27.7 per cent of the vote and joined the conservative People's Party in the Government. This victory aroused serious concern in all European countries since the party's programme is openly racist and xenophobic. The main targets of its propaganda are non-EU nationals, including asylum-seekers and refugees, who are held to be responsible for unemployment, street crime, increased expenditure on security and border control and social security abuse.[13] The mere presence of persons of non-Austrian origin in Austria is portrayed as a threat to the country and to national identity. Since the collapse of the Government in 2002, FPÖ has seen a marked decline in its share of the vote (10 per cent in the 2002 general elections) but has managed to remain in the coalition Government, obtaining several ministries.[14] The adverse impact on society of the continuous presence in government of an openly intolerant and xenophobic party cannot but cause concern.

20. The Austrian experience also illustrates a grave danger threatening democratic systems in Europe and throughout the world: the influence of the extreme right on traditionally democratic parties. First, by linking foreigners and insecurity, the extreme right encourages traditionally democratic parties, particularly those on the right, to incorporate this security-oriented and intolerant discourse in their platforms for fear of losing part of their electorate. Second, the traditionally democratic parties of the right are increasingly likely to form alliances with the extreme right, which is thus able to enter national governments and, to some extent, impose its racist and xenophobic platform. Italy is another example of this type of coalition government between the right and the extreme right.

21. Denmark has a modern history of cultural tolerance exemplified by its defence of the Jewish community during the Second World War. It is not, however, immune to the worldwide trends of rising racism and xenophobia, as demonstrated by the 12 per cent share of the vote obtained by the Danish People's Party in the November 2001 parliamentary elections. This is a new anti-immigration party formed

following a split in the Progress Party. Openly racist and xenophobic, it focuses on the threat posed by Muslims to Danish Christian society and advocates the expulsion of non-white immigrants and refugees. A key plank in its political platform was anti-immigrant, anti-Muslim messages that included a picture of a young blond girl accompanied by the slogan: "When she retires, Denmark will have a Muslim majority."[15]

22. The increasing ability of the People's Party to disseminate its racist and xenophobic message can be gauged not just in terms of its electoral success and political gains, but also the partial incorporation of its xenophobic ideas by the ruling Liberal Party. Although it excluded the People's Party from the centre-right coalition currently in power in Denmark, it has incorporated part of its anti-immigrant programme, adopting more restrictive immigration laws. Bashy Quarishy, Chairperson of the European Network against Racism noted: "People who do not look Danish are looked upon as an unnatural part of Danish society. The politics of hate has crept into the body politic of Denmark and its main characteristic is anti-Muslim feeling."[16]

23. In the Netherlands, the major peddlers of hate and xenophobia have been the extreme right-wing parties (Centrumdemcraten, Nieuwe Nationale Partij, Nederlands Blok) and a host of extra-parliamentary groups. According to a study on racist violence and violence incited by the extreme right conducted by the Dutch Monitoring Centre on Racism and Xenophobia,[17] racist violence in the Netherlands usually manifests itself as racist graffiti, threats, bomb scares, confrontations, vandalism, arson, assaults and homicides. Such acts increased continuously from 1996 to 2000, although there was a slight fall in 2001 owing to a significant reduction in racist graffiti; however, the incidence of most other acts rose. Acts of racist violence committed by the extreme right have apparently increased as a proportion of the total in recent years, although they remain a minority. Following the attacks of 11 September 2001, a wave of Islamophobic violence has also been reported.

24. According to the Monitoring Centre, these figures represent only a tip of the iceberg, since the vast majority of violent acts are not reported by the victims. The real figures could be 4 to 20 times higher (between 1,600 and 16,000 incidents in 2000). The European Monitoring Centre on Racism and Xenophobia supports the estimate of 16,000 cases.[18] Beyond the figures, it is worrying to note that, owing to its social dimensions, the problem of racial violence and violence incited by the extreme right is a major obstacle to integration in the Netherlands.[19]

25. The politics of hate, racism and xenophobia is also manifested in many other States in Western, Central and Southern Europe. The list of openly racist and xenophobic political and paramilitary groups is long and diverse. In Italy, two openly xenophobic parties, the National Alliance and the Northern League, have been in power since June 2001, forming a coalition government with the party of Prime Minister Silvio Berlusconi. The representatives of these parties spread racist and anti-immigrant discourse in Italian society and have obtained the adoption of a particularly strict immigration law (the Bossi-Fini law, named for the leaders of these two parties), which was recently called into question by the Italian Constitutional Court. In Belgium, the far-right Flemish Bloc enjoys 15 per cent of the vote in the Flemish region and pours forth xenophobic words and initiatives. In Spain, two populist and xenophobic parties of the extreme right, Spain 2000 and

National Democracy advocate economic protectionism, the exclusion of illegal immigrants and the total rejection of European structures and regional autonomy.

26. Switzerland, with the largest number of asylum-seekers per capita in the developed world and renowned for its generous provision of housing, food and schooling for refugees, had its policy challenged by the Swiss People's Party in the October 2003 elections, which saw this party consolidate its position following a highly publicized xenophobic campaign. In addition to the extreme right-wing groups that propagate racist ideas, paramilitary and "pseudo-intellectual new-right" circles peddle xenophobic ethnocentric ideas through lectures and public meetings[20] designed to reverse existing policies of tolerance and inclusion.

27. The situation in the Russian Federation is becoming particularly worrisome, with an increase in violence against foreigners, particularly Caucasians, Asians and Africans. Overtly racist verbal abuse and physical violence by organized groups have generated an atmosphere of total insecurity in daily life for many foreigners. In 2002, diplomats from 37 African States appealed to the Ministry of Foreign Affairs to ensure the protection of their nationals. According to recent press reports, Russian human rights groups have documented widespread harassment, often occurring with the compliance or support of the police.[21]

28. According to Amnesty International, the extremist group Russian National Unity is responsible for numerous acts of racist vandalism, the distribution of anti-Semitic tracts and death threats against activists involved in combating racism. Recently, a human rights defender Nikolai Girenko, a particularly active opponent of racism, was murdered. Amnesty International has expressed deep concern about the rise in racism and racist crime in the Russian Federation and, in particular, about skinheads who have reportedly committed numerous racially-motivated murders, including those of a six-year-old Roma girl in September 2003 and a nine-year-old Tajik girl in February 2004.[22]

29. The main challenge for the authorities is, in line with the Durban Declaration and Programme of Action, to elaborate a national plan against racism and take concrete measures, notably for the law and order institutions to repress all acts of racism and discrimination. Political parties and nationalist groups should not be allowed to continue promoting racist and xenophobic platforms. There is an urgent need for a solemn declaration against racism, xenophobia and intolerance by the highest national authorities, as well as a large-scale national programme, legislative and educational, to reverse the racist and xenophobic dynamic that threatens to erode and pervert the democratic development of Russian society.

B. Asia

30. In Asia, home to a diversity of nations, cultures, religions and civilizations, racism, ethnocentrism and xenophobia are intertwined with the problems involved in the process of nation-building in a post-colonial era. Frequently, clashes of economic or political interests, combined with the ideologies of exclusion advocated by xenophobic and nationalist groups, have created the conditions for the emergence of racism towards ethnic groups. Many indigenous populations, such as the Cordillerans (mountain people) of the Philippines, the Karen and Shan peoples in the highlands of Myanmar, the Naga, Mizo and other groups in Tripura and neighbouring regions of Bangladesh, suffer exclusion and persecution, while

violence is inflicted on communal groups — Christians, Muslims, Hindus and Buddhists — targeted for their race, religion or ethnic origin.

31. In India, while efforts have undoubtedly been made and tremendous gains achieved in the political, constitutional, legal, economic, social and educational fields, discrimination, particularly as manifested in the caste system, still plays a role in violence and social division, especially in provincial India. Although the 1950 Constitution outlawed discrimination and introduced quotas for government jobs, thereby promoting millions of untouchables and members of indigenous tribes, discrimination remains deeply entrenched in society. As to political platforms, it should be emphasized that there is a xenophobic element in the platform of the Indian nationalist Bharatiya Janata Party, which held power until a few months ago.

32. In Japan, racial discrimination and xenophobia are rooted in a rigidly hierarchical social structure, characterized by persistent discrimination against marginalized groups like the Buraku, and in the conflicts with neighbouring countries that have marked its history, giving rise to strong racist sentiment towards other Asian communities, notably the Korean community. Statements by politicians and the writing and teaching of history reveal that, even today, this ideology of discrimination is still firmly implanted in the Japanese psyche.

C. Africa

33. Africa is home to a great diversity of ethnic, cultural and racial identities. During the colonial period, the racial aspect was foregrounded. It was used to establish the continent's geographical boundaries, and societies were divided along racial lines. At independence, race served as an excuse for communal conflicts in States that inherited settler populations.

34. However, the worst carnage seen since the end of the Second World War has involved intraracial violence, like that inflicted by the Hutus on 1 million Tutsis in Rwanda in 1994. This genocide, which was particularly harrowing owing to the organized and systematic manner in which it was carried out, the number of victims and the passivity and impotence of the international community and the United Nations, serves as a warning of the deep-rootedness, resilience and extreme violence of racial and ethnic hatred at the dawn of the third millennium. The central issues highlighted by the Rwandan genocide are not only the contagiousness and vitality of racial hatred in the region, but also the ethical complacency and political demobilization of the international conscience, which has failed to support efforts to combat racist and xenophobic cultures and mentalities. This has resulted in an inability to find far-reaching and sustainable responses and thus in a culture of impunity and recidivism, shockingly illustrated by the massacres regularly committed by the perpetrators of the genocide. The horrific massacre on 13 August 2004 at the transit camp in Gatumba, Burundi, of 160 Banyamulenge refugees, ethnic Tutsis from the Democratic Republic of the Congo, is the latest tragic episode in an endless chain of unpunished ethnically-motivated massacres committed on the continent, including in Liberia, Sierra Leone and Côte d'Ivoire.

35. The conflict between "Arabized" Sudanese in the north and darker-skinned Sudanese in the south has claimed the lives of 2 million people and displaced 4 million more and, while the conflict seems to be dying down, massacres, allegedly ethnically motivated, are continuing to claim victims in the Darfur region. The war

in the Democratic Republic of the Congo, which has taken the form of myriad conflicts between ethnic groups, regional factions and warlords, has also given rise to communal violence, in which more than 3 million people have died in the last five years alone.[23] The Special Rapporteur therefore proposes to give greater priority to this region with a view to conducting as rigorous and full an investigation as possible of the ethnic dimension of the conflicts ravaging it.

D. South America

36. In South America, colonialism and slavery have created a society in which racial divisions constitute the basic framework for human and power relations. The societies of this hemisphere were built on an historical legacy of racism and discrimination, which constituted the ideological underpinnings of slavery and colonialism. The initial discrimination against the indigenous Amerindian peoples, which in some regions led to entire communities being wiped out, was perpetuated and became entrenched with the enslaved communities of African origin. As a result, in most countries of the region, there is a disturbing overlap between areas of poverty and marginalization and the areas in which these communities are settled. Generally, political, economic and social stratification coincide with race- and colour-based stratification. Political parties are founded, structured and organized around this ideology of racial and ethnic discrimination. The main challenge facing these countries is to acknowledge the reality and deep-rootedness of the historical legacy of racism and discrimination and, at the same time, to transform the current model of ethnic and cultural diversity, which is inegalitarian and discriminatory, into a democratic, egalitarian and interactive cultural and ethnic pluralism. It is perhaps in this region, owing to the extreme violence with which its very diverse races, peoples and cultures were brought together, that there is the best chance of true multiculturalism — not juxtaposition, but interaction, combining the recognition, respect and protection of specific and particular ethnic and cultural identities with the integration of these particularities in a single whole that binds, unites and surpasses them.

37. Today, in the majority of the countries of the region, disadvantaged groups are putting forward racial and ethnic elements as the determining factors in the discrimination against them. In States such as Peru, Bolivia and Guatemala, the discrimination and marginalization of the indigenous Amerindian populations remain the central theme of political debate. They are also underlying elements in the armed conflicts that have torn these countries apart. The fact that the South American States define themselves mainly in terms of their Iberian, Spanish and Portuguese history and culture, largely denying their African and Amerindian components and roots, has been the basis of a good deal of this violence.

38. Brazil, a symbol of flamboyant multiculturalism that claims to embrace colour-blind social policies, has been the scene of rebellions by marginalized groups denouncing the hidden reality of a deep-rooted racism that is the source of inequalities and injustice. Social and racial discrimination are juxtaposed with and feed off one another. However, the forces of change are in motion. Dialogue and public discourse are under way to place the now recognized issue of race in the larger context of political action and public policies to promote economic and social well-being and equal opportunities. The idealized image of a harmonious multiracial democracy has been abandoned in favour of developing a mature community

founded on justice and pluralism. In most States of the continent, this process is under way but is in its very earliest stages. Too often, however, political discourse remains tainted by paternalism. Indeed, public rejections of racism frequently go hand in hand with a paternalistic discourse that implies the inferiority of the other, he who must be helped.[24] The long march towards an egalitarian and interactive ethnic and cultural pluralism, as opposed to mere interracial tropical folklore designed to mask deep inequalities, seems to have begun but will require vision, vigilance and determination.

39. Contrary to appearances, and despite the widely held view that South America is an example of successful racial integration, racial and ethnic equality is far from being achieved. The fact remains that "there is a clear conflict between the formal reality of the legal equality incorporated into the laws of all countries, and the constant 'racial' and/or 'ethnic' discrimination that pervades all the various spheres of the power structure, beginning with the political sphere".[25]

E. The Middle East

40. In the Middle East, nationalists have sought to build a single Arabic nation interweaving the common culture, religion and history. However, despite the intellectual and political expression of this quest, notably by the Ba'athists in the Syrian Arab Republic and Iraq, the region is still witnessing the reality of regionalism and the solidarity of tribes and clans. In many countries political parties are structured along confessional and religious lines. The unifying factor of Islam often gives way to religious identity.

41. Lebanon in its recent history has symbolized the tragic consequences of ethnic and communal polarization, with long years of civil war. In Egypt, the situation of the Coptic Christians illustrates the reality of religious and communal tensions, antagonisms and discriminatory practices.[26] In Algeria, non-Muslims and opponents of Islam have fallen victim to the deadly violence of the Muslim radicals of the Islamic Salvation Front and the Armed Islamic Group (AIG).

42. The Israeli-Palestinian divide, along political, ethnic and religious lines, is the main consequence of the Middle East conflict. The issues of racism, ethnocentrism and xenophobia are consequently fundamental dimensions, and indeed expressions, of the conflict. The cycle of extreme violence triggered by the dynamics of occupation — violent acts of resistance followed by military retaliation — is not only terribly costly for the civilian populations on both sides (in particular the hopeless economic and social situation of the Palestinian civilians and the insecurity of Israeli civilians), but has fuelled profound ethnic antagonism and hatred. Political platforms and discriminatory practices have been built along the same lines. The present unacceptable situation of the Palestinian population, particularly in the economic, social and humanitarian spheres, is that of a population suffering discrimination. The attacks on Israeli civilians are totally unacceptable and, even if Israel has the right to defend itself, its construction of a "security wall" nevertheless constitutes a jarring symbol of seclusion, erected by a people whose entire tragic history has been marked by the rejection of the ghetto. One of the perverse effects of this conflict is its intolerable contribution to the rise of Islamophobia and anti-Semitism in other parts of the world.

43. At other levels, States and subregions in the Middle East have been locked in conflicts carried out along real and imagined lines of race, ethnicity and religion. Most of the States have large ethnic and religious minorities that have been subjected to exclusion and persecution. In fact, countries such as Lebanon, Iraq and the Syrian Arab Republic are known as "nations of minorities". Others, such as Jordan, are referred to as one State with two peoples: Jordanians and descendants of Palestinians. The larger States, from Egypt and the Islamic Republic of Iran to Turkey, have ethnic and religious minorities that have borne the impact of State-sponsored or communal-based discrimination. Even the hitherto homogenous populations of the Gulf States in the oil era now have to confront the issues of ethnocentrism and exclusion stemming from the influx of huge numbers of foreign workers. The struggle against terrorism is demonstrating its most pernicious effects in this region by literally bringing into conflict groups and communities, and even whole religions and cultures, that had spent many years constructing a vibrant and interactive coexistence.

F. North America

44. The North American region, consisting of the two developed States of the United States and Canada, is an area of contrasts: a haven for countless immigrants from all over the world, the promised land of wealth and equal opportunities, it has also developed, in its midst, some of the world's most racist and xenophobic ideologies and movements.

45. The United States as a nation started with what Gunnar Myrdal called the "American dilemma" — the contradiction between its idealistic concept of a nation founded on the values of liberty and equality of opportunities, on the one hand, and the reality of racial inequality and exclusion, on the other. Even after slavery ended and equality was proclaimed by law, the vast majority of Native Americans and African Americans, and now Latinos, live in the poorest and most marginalized social sectors. Opinions differ as to the progress achieved by the United States in the struggle against racial discrimination. Even if remarkable progress has been made, for example with respect to the access of Blacks to employment and social recognition, racism and exclusion persist.

46. At the policy level, commitments to redressing structural and social wrongs have been eroded by populist parties and movements preaching hatred and racism. The number of extremist groups such as the Ku Klux Klan and neo-Nazi groups and peoples' militias was believed to reach at least 540 by the late 1990s. To this is added the post-11 September situation, which has brought a resurgence of activity among racist and xenophobic groups and increased the level of violence, in particular against specific individuals and communities: Muslims, Arabs and Asians.

47. Due to its geographical proximity, Canada is not immune to these phenomena. Groups that preach racial or ethnic hatred do exist there. Canada's minority groups attest to the reality of racism and discrimination. And yet, this country, which also has an historical tradition of racism and discrimination, still very much in evidence in the economic and social spheres, has developed a legal strategy for combating racism and discrimination that is ahead of all countries in the hemisphere. However, because of its basic identity as a major immigration country, it must not only establish an innovative and flexible political and legal framework, but also develop

an intellectual and ethical strategy designed to promote a genuine, more egalitarian and interactive multiculturalism. The Special Rapporteur submitted to the sixtieth session of the Commission on Human Rights a report on his visit to Canada (E/CN.4/2004/18/Add.2). He is delighted to have received an invitation from the Canadian Government for a follow-up visit.

1. Racism, ethnocentrism and xenophobia in public discourse

48. For long periods of their history, the United States and Canada had laws and regulations sanctioning discrimination and exclusion of certain racial and ethnic minorities. The so-called Jim Crow laws in the United States legalized segregation and sought to curtail the rights of African Americans on the basis of the "separate-but-equal" Supreme Court decision.[27] Similarly, when the Fourteenth Amendment to the United States Constitution provided "citizenship status to African-Americans, native Americans were not considered citizens".[28] The Supreme Court ruling that Indian tribes were in a state of "pupilage" (a minor child under a guardian) laid the basis for them to be considered as wards of the State and not full citizens. As such, they could be denied civil, political and economic rights. Likewise, Frank H. Wu attributes the myth of the Asian as the unassimilable perpetual foreigner to the Chinese Exclusion Act (1882), which aimed at preventing Asian immigrants from gaining citizenship.[29]

49. With the civil rights movement came changes by way of the removal of legislative barriers to equal opportunity and justice under the law. Minorities gained much greater access to education, public office and economic opportunities. A significant middle class of minorities emerged, as exemplified by the considerable rise in the number of Blacks, Latinos and Asian and Pacific Islanders in higher education and matched by their economic progress.

50. Despite this considerable progress, discrimination against racial and ethnic minorities remained fairly widespread. Eradicated on paper, racial hostility did not seem to have diminished in people's minds, for that is the hardest thing to eradicate, once it has taken hold. Moreover, racism against Blacks and indigenous Americans is also practised by ethnic groups other than the Anglo-Saxons who came from various parts of Europe. Benjamin Franklin, expressing the monocultural conceptualization of nationhood of his time, differentiated even among the white ethnic groups when he feared Pennsylvania would become "a colony of aliens, who will shortly be so numerous as to Germanize us instead of [us] Anglifying them". Limits were also imposed on the immigration of Catholics, Jews and other minorities. Hostilities against minorities from Southern and Central Europe were rooted in fears of having to incorporate different cultures and the desire to preserve the dominance of white Anglo-Saxon Protestants.

51. Over time, the United States has opted for a policy that is multiracial, pluralist and open to diversity. But some thinkers and activists have continued their attempts to crush the collective progress made in this area, maintaining that diversity and pluralism are dangers to the State. A symbolic episode in the resurgence of the racial tensions and violence occurred in 1992, in Los Angeles, when white police officers, on trial for the brutal beating of a black man arrested for speeding, were acquitted by a white jury. Riots broke out immediately, and for two days the city was rocked by a virtual civil war between the black community and the police, which left some 40 people dead. In fact, social differences do marginalize poor ethnic groups in vast

ghettos. The various ethnic communities live side-by-side in a burgeoning climate of urban violence, and have ceased to believe in the melting pot: "The assertion of civil rights has now been replaced by a defensive, community-based withdrawal, which threatens the cohesion of American society".[30]

2. The resurgence of extremism, ethnonationalism and xenophobia

52. As in Europe, extremist organizations who preach racial and ethnic hatred are very common in the United States. The Ku Klux Klan, formed in the second half of the nineteenth century, rose to become one of the most racist and murderous organizations of all time. Declaring itself "100 per cent American, 100 per cent Christian and 100 per cent Protestant", by 1921 the Klan boasted 1.2 million members and at its height approached 6 million. It is survived by a number of splinter groups such as the United Klans of America, The Invisible Empire, and the Knights of the Ku Klux Klan.[31] One of its most famous leaders, David Duke, currently heads the openly racist and anti-Semitic European-American Unity and Rights Organization.

53. Of the many other racist and xenophobic organizations, the most dangerous and best organized are the National Alliance, which promotes neo-Nazi ideas through hate-rock music and distributes leaflets, tapes and magazines; the Christian Identity Movement, which pushes a racist, anti-Semitic agenda; the Eleventh Hour Remnant Messenger, which peddles pseudo-theological messages through mass mailings; the World Church of the Creator, which focuses on the recruitment of college students; and the National Socialist Movement, which publishes a racist newspaper with a circulation of 100,000. These organizations are buttressed by a huge number of small groups which disseminate their racist, xenophobic and sectarian propaganda through music, comic books, marches, rallies, leaflets, active recruitment and the Internet. They are also not afraid to exploit democratic values such as freedom of expression to achieve their objectives more effectively.

54. Even if North America's racist and xenophobic extremist movements are mostly white, there are other groups that expound discriminatory ideologies. The Nation of Islam movement, for example, led by Louis Farrakhan, campaigns for black identity within Islam.

55. The huge increase in the use of information technology, by all discriminatory parties and movements, in order to spread their beliefs, gives some sense of the enormous damage that can be caused by their ideas. The Internet, a major weapon in the struggle of ideas, has been utilized effectively by individuals, groups and institutions advocating hate, xenophobia and separation. Accordingly, "in 1995 there was only one web site associated with white supremacy ... by 1999, there were 1,800 web sites associated with white supremacy groups and individuals espousing various racist and other hate-filled messages".[32]

III. Recommendations

A. Recognition and awareness

56. **The current realities of racism, ethnocentrism, xenophobia and related intolerance should be acknowledged as major threats to peace, security and**

human development. Paragraph 115 of the Durban Programme of Action, which "[u]nderlines the key role that politicians and political parties can play in combating racism, racial discrimination, xenophobia and related intolerance and encourages political parties to take concrete steps to promote equality, solidarity and non-discrimination in society, inter alia by developing voluntary codes of conduct which include internal disciplinary measures for violations thereof, so their members refrain from public statements and actions that encourage or incite racism, racial discrimination, xenophobia and related intolerance", should be the cornerstone of all political programmes in the States Members of the United Nations.

B. Prohibition of racist and xenophobic programmes and ideas

57. States must exercise greater control over racist and xenophobic statements and ideas — especially when they are expressed by representatives of political parties or other ideological movements — and ensure that such activities are stopped. Freedom of expression cannot be used to justify incitement of this kind. The law should also prohibit any party or movement from promoting racist and xenophobic ideas. Moreover, Internet sites with racist content should be prohibited and monitoring procedures introduced to this effect.

C. Establishment of monitoring, reporting, documentation and information processing institutions and procedures

58. Information, data collection and documentation of incidents, movements and propaganda materials are key to responding to immediate problems as well as to avoiding long-term disasters. Just as the need for early warning systems for weather-related catastrophes is now firmly established, a preventive monitoring system against potentially explosive racial, ethnic or religious conflicts is warranted as well. Early warning systems that monitor developments in communal violence can detect changes through the recording of racist incidents, the spread of hate literature or the mobilization of groups for war.

59. The collection and processing of information on cases of violence, discrimination and unfair violations of individual and group rights need to be conducted by autonomous, complementary and mutually balancing institutions such as statistical bureaux, universities and schools, community groups, legal bodies, international organizations and research establishments. Monitoring, processing and dissemination of information to policy-making bodies and the public at large should be conducted by organizations at the national, regional and international levels. It is now widely accepted that the mass killings and genocides that were allowed to take place in Rwanda, the Balkans and other areas could have been prevented by information-gathering and dissemination systems that would have alerted the world public. The key steps to prevention — establishing universal principles and standards; monitoring developments; recording cases, events and trends; assembling, processing and relaying information to all concerned — need to be institutionalized.

D. Developing an intellectual and ethical strategy against racism, racial discrimination, xenophobia and related intolerance

60. **The eradication of racism requires going beyond basic political and legal strategies. Racism is a huge iceberg whose visible tip — its expressions and concrete manifestations — hide its deep-rooted causes. The roots are embedded in beliefs, value systems, traditions, perceptions and individual and collective feelings, in other words in culture. The culture of discrimination is not an unidentified flying object coming in from outer space, but a long and elaborate construction, built up through time and space, constructed on an intellectual and "scientific" foundation and made substantial through processes of education, image and identity-building. Consequently, combating it requires archaeology and deconstruction: understanding its processes, its mechanisms, and its spoken as well as its non-spoken language. The urgency of adopting a strategy to this end is justified by the fact of the resiliency and the living reality of racism in acts of daily life and the deep, negative perceptions and images of communities in States that have already adopted elaborate political and legal strategies to combat lasting legacies of racial prejudice.**

61. **In this context, States should develop awareness-raising and education programmes to promote tolerance and diversity and combat violence and exclusion, at both local and national levels. More particularly, consideration should be given to the dissemination of such messages of tolerance through magazines, cartoons, games, films and other highly popular youth media.**

E. Promoting democratic political vigilance against the normalization of the racist and xenophobic agenda of the extreme right

62. **The rise of racism and xenophobia on many continents and in many States can be explained by the capacity of the extreme right to shape the national political agenda around nationalist, xenophobic and racist ideas and policies under the guise of protecting national employment and combating immigration. In order to win elections, many political parties are promoting political platforms espousing these ideas and policies. A careful study of political debates in several States, in particular in Europe, will show without doubt the steady and powerful penetration of the platforms of xenophobia and discrimination of the extreme-right parties in the agendas of the traditional democratic parties, from the right and the left. The post-11 September atmosphere is revealing the profundity of their impact, with the intellectual and ideological legitimization of these platforms in the writings and discourse of leading scholars and writers. The theory of the inevitability of a "clash of civilizations" is slowly but steadily becoming an ideological reference point for political leaders.**

Notes

[1] Neil MacMaster, *Racism in Europe 1870-2000*, Review, What you need to know about web site, www.About.com.

[2] Ibid.

[3] Josephine Ocloo, "Racism in Europe, A rising Tide", *Social Work in Europe*, vol. 8, No. 2, pg. 45 to 49.

[4] Theodore H. von Laue, *The World Revolution of Westernization: The Twentieth Century in Global Perspective*, New York and Oxford, Oxford University Press, 1987, pg. 342.

[5] Commission national consultative des droits de l'homme (CNCDH) *la lute contre le racisms et la xénophobie*, Rapport d'activité 2003, Paris, La documentation française, 2004.

[6] Federal Office for the Protection of the Constitution, 2004 annual report.

[7] Federal Ministry of the Interior, http://www.eng.bmi.bund.de.

[8] http://www.bmfsj.aktiv-gegen-hass.de.

[9] European Commission against Racism and Intolerance (ECRI) of the Council of Europe, second report on Germany adopted on 5 December 2003.

[10] Ibid.

[11] November 9th Society, http://www.9s.org.

[12] Warren Hoge, "Britain's Nonwhites Feel Un-British, Report Says", *The New York Times*, 4 April 2002.

[13] European Commission against Racism and Intolerance, Second Report on Austria, adopted on 16 June 2000.

[14] Institute of Race Relations, http://www.irr.org.uk/europe/index.html.

[15] Peter Finn, "A Turn from Tolerance: An Immigrant Movement in Europe Reflects Post-September 11 View of Muslims", *The Washington Post*, 29 March 2002.

[16] Helle Dale, "Denmark's immigration crackdown: Copenhagen no longer a Mecca", *The Washington Times*, 31 July 2002.

[17] Dutch Monitoring Centre on Racism and Xenophobia, *Racist violence and violence incited by the extreme right, 2000 and 2001*, September 2002.

[18] European Monitoring Centre on Racism and Xenophobia (EUMC), annual report 2002.

[19] Dutch Monitoring Centre on Racism and Xenophobia, op. cit. (see supra note 17).

[20] "Swiss Sign Pact to Curb the Rise of Political Asylum Requests", *The New York Times*, 19 January 2003.

[21] "African Students' Harsh Lesson: Racism Is Astir in Russia", *Moscow Journal*, 18 December 2003, www.pipeline.com.

[22] Amnesty International, *Russian Federation: Brutal killing of human rights defender Nikolai Girenko*, http://web.amnesty.org/library/index/ENGEUR460382004.

[23] Koen Vlassenroot, "Citizenship, Identity Formation and Conflict in South Kivu: the Case of the Banya Mulenge", *Review of African Political Economy*, 29 (93/94), September/December 1992.

[24] On the racist discourse of the elite in Latin America, see "Elite Discourse and Racism in Latin America", 10 November 2002, http://www.discourse-in-society.org/Racism%20in%20Latin%America.htm.

[25] Anibal Quijano, "Colonialité du pouvoir et démocratie en Amérique Latine", Special edition on *Latin America and Exclusion*, June 1994, Paris, http://multitudes.samizdat.net/article.php3?id_article=856#nb1.

[26] Bernard Lewis, *The Multiple Identities of the Middle East*, New York, Schocken Books, 1998.

[27] "Jim Crow Laws", created by Martin Luther King, Jr., National Historic Site Interpretive Staff, 5 January 1998, www.nps.gov.

[28] Paula D. McClain and Joseph Stewart, Jr., *Can we all get along? Racial and Ethnic Minorities in American Politics*, 2nd ed., Boulder, Colorado, Westview Press, 1998, pp. 14, 15.

[29] Frank H. Wu, *Yellow: Race in America beyond Black and White*, New York, Basic Books, 2002.

[30] Jacques Tarnero, *Le racisme*, Éditions Milan, 1995, http://www.anti-rev.org/textes.

[31] Susan S. Lang, Extremist Groups in America, New York/London, Franklin Watts, 1990, pp. 42-52.

[32] Carol M. Swain, *The New White Nationalism in America: Its Challenge to Integration*, Cambridge/New York Cambridge University Press, 2002, p. 30.